



AF
1732

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/990,472	
	Filing Date	November 20, 2001	
	First Named Inventor	William R. Reetz	
	Art Unit	1732	
	Examiner Name	Theisen, Mary Lynn F.	
Total Number of Pages in This Submission	4	Attorney Docket Number	RTZ 302D

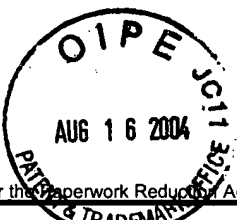
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David P. Cooper Kolisch Hartwell, P.C.
Signature	
Date	August 11, 2004

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Typed or printed name	Mandi M. Leighty		
Signature		Date	August 11, 2004

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PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 0.00)

Complete if Known

Application Number	09/990,472
Filing Date	November 20, 2001
First Named Inventor	William R. Reetz
Examiner Name	Theisen, Mary Lynn F.
Art Unit	1732
Attorney Docket No.	RTZ 302D

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

11-1540

Kolisch Hartwell, P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
28	-20** = 0	9.00	0.00
5	-3** = 0	43.00	0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity

Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY

Name (Print/Type) David P. Cooper

Registration No.
Attorney/Agent

33,372

(Complete (if applicable))

Telephone (503) 224-6655

Signature

Date August 11, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

WILLIAM R. REETZ and RONALD R. TAYLOR

Dated: August 11, 2004

Serial No. : 09/990,472

Group No. 1732

Filed : November 20, 2001

Examiner: Mary Theisen

For : METHOD OF FORMING A THERMOACTIVE
BINDER COMPOSITE

MAIL STOP: AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION

Responsive to the Final Office action, applicant notes that the Terminal Disclaimer it filed on March 30, 2004 has been accepted. Favorable reconsideration and a Notice of Allowance are now requested based upon the following remarks.

With respect to prior-art-based rejections, the Examiner maintained her rejections of claims 26-44 and 46-53 under 35 U.S.C. § 102(a) based upon U.S. Patent No. 5,380,180 to Lamb, Sr. In addition, the Examiner maintained her § 102(b) rejections of: (1) claims 26-44 and 46-53 based upon U.S. Patent No. 3,718,536 to Downs et al. or U.S. Patent No. 4,812,283 to Farley et al. or GB 2004809; (2) claims 26-31, 33-36, 38-49 and 51-53 based upon U.S. Patent No. 5,096,945 to Sun; and (3) claims 26-47 based upon U.S. Patent No. 5,106,438 to Nopper et al. or U.S. Patent No. 4,978,489 to Radvan et al.

Applicant again acknowledges that each of the above-identified patents appears to disclose a composite material with apparently heat-responsive binder material. However,

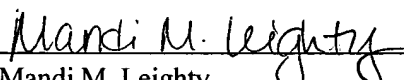
applicant disagrees that any of the composites described in the applied references show or suggest the invented thermoactive binder composite covered by the pending claims, which thermoactive binder composite exhibits the superior physical properties described in Exhibits A-D of the Rule 132 Declaration of William R. Reetz which applicant filed previously on May 22, 2003.

Nowhere in any of the applied references is there an identification of the following physical properties of the described composites: (1) thermatron thickness swell; (2) moisture response; (3) what are known as "ultimate" test values corresponding to bending strength (MOR) and bending stiffness (MOE); and (4) what is known as "fastener withdrawal numbers".

Because none of the applied references describes the above superior physical properties obtained in tests of product made according to the invention recited in the pending claims, applicant urges the Examiner to allow all pending claims. Accordingly, applicant respectfully requests favorable reconsideration and issuance of a Notice of Allowance.

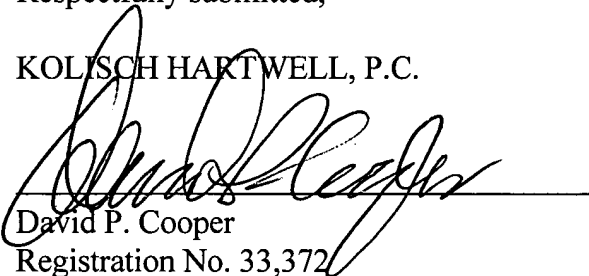
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Mandi M. Leighty

Respectfully submitted,

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